

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Leslie Martinez	Team: Squad #8	CCRB Case #: 202102435	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 04/17/2021 10:00 PM, Saturday, 05/01/2021 10:00 PM, Saturday, 05/01/2021 11:00 PM	Location of Incident: Near 84th Precinct station house	Precinct: 84	18 Mo. SOL 11/1/2022	EO SOL 11/1/2022	
Date/Time CV Reported Tue, 05/04/2021 1:13 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Tue, 05/04/2021 1:13 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			084 PCT
2. POM Anthony Buonomo	09259	954579	SRG 3
3. CPT Julio Delgado	00000	918927	SRG 2
4. an officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Brandis Hicks	09322	948544	SRG 4
2. LT John Egan	00000	930093	SRG 04

Officer(s)	Allegation	Investigator Recommendation
A.POM Anthony Buonomo	Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, Police Officer Anthony Buonomo used physical force against § 87(2)(b)	
B.CPT Julio Delgado	Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, Captain Julio Delgado used physical force against § 87(2)(b)	
C. an officer	Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, an officer used physical force against § 87(2)(b)	
D. an officer	Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, an officer struck § 87(2)(b) with a baton.	
E. Officers	Force: Officers used physical force against § 87(2)(b)	
F. Officers	Force: On May 1, 2021, while on the Brooklyn Bridge in Brooklyn, officers used physical force against individuals.	

Case Summary

§ 87(2)(b) filed his initial complaint with the CCRB on April 18, 2021, regarding an incident on April 17, 2021. During his CCRB interview on May 4, 2021, he filed another complaint regarding an incident on May 1, 2021.

On April 17, 2021, at approximately 10:00 p.m., § 87(2)(b) and 50 unidentified individuals participated in a Black Lives Matter protest at the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn. An unidentified officer, PO1, allegedly pointed to § 87(2)(b) as she stood on the sidewalk. Five unidentified officers, including Lieutenant John Egan from the Strategic Response Group 4 and PO Anthony Buonomo from the Strategic Response Group 3 allegedly grabbed § 87(2)(b)'s arms before PO Buonomo took § 87(2)(b) to the ground (**Allegation A; Force,** § 87(2)(g) § 87(2)(b) was then handcuffed and transported into a police vehicle. During the protest, Captain Julio Delgado from the Strategic Response Group 2 was running and allegedly pushed an unidentified female, F2, as she chanted, "Black Lives Matter" (**Allegation B, Force, Miscellaneous:** § 87(2)(g) § 87(2)(b)).

During the protest, an unidentified officer, PO2, pushed § 87(2)(b) (**Allegation C; Force,** § 87(2)(g) PO2 then pushed an unidentified female, F3, with his baton as she was walking (**Allegation D; Force,** § 87(2)(g) § 87(2)(b)).

On May 1, 2021, at approximately 10:00 p.m., § 87(2)(b) and 50 unidentified individuals participated in another Black Lives Matter protest outside the 84th Precinct stationhouse in Brooklyn. While on Tillary street, an unidentified man, M1, sat inside his parked vehicle with a "Black Lives Matter" flag on his window. Five unidentified officers dressed in riot gear, PO1-PO5, allegedly removed M1 from inside the vehicle and threw him to the ground. (**Allegation E; Force,** § 87(2)(g) § 87(2)(b)). Later in the day, at an unknown time, protestors made their way to Foley Square towards the Brooklyn Bridge. Officers then followed protestors onto the Brooklyn Bridge. While on the Brooklyn Bridge, 10 officers held bicycles in their hands and pushed two unidentified female protestors (**Allegation F; Force,** § 87(2)(g) § 87(2)(b)).

The investigation received 12 body-worn camera videos in addition to PO Buonomo's body-camera footage and a YouTube video uploaded by LLN NYC, for the incident date April 17, 2021 [BR01-BR03, respectively]

For incident date, May 1, 2021, the investigation obtained 33 body-worn camera videos, stationhouse footage and NYPD TARU footage. [BR03- BR06, respectively]

Findings and Recommendations

Allegation (A) Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, Police Officer Anthony Buonomo used physical force against § 87(2)(b) § 87(2)(b)

Allegation (B) Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, Captain Julio Delgado used physical force against § 87(2)(b) § 87(2)(b)

Allegation (C) Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, an officer used physical force against § 87(2)(b) § 87(2)(b)

Allegation (D) Force: On April 17, 2021, outside the 84th Precinct stationhouse located at 301 Gold Street in Brooklyn, an officer used physical force against § 87(2)(b) § 87(2)(b)

On May 4, 2021, § 87(2)(b) testified that on May 1, 2021, at approximately 10:00 p.m., he and 50 unidentified individuals participated in a Black Lives Matter protest outside the 84th Precinct

stationhouse in Brooklyn, demanding the resignation of PO Artem Prusayev from the 84th Precinct. § 87(2)(b) did not remember who organized the protest but learned of it from social media. While § 87(2)(b) believed this incident occurred on May 1, 2021, the investigation determined the incident occurred on April 17, 2021, at approximately 10:00 p.m. based on PO Buonomo's body-worn camera footage which captures a portion of this incident. [BR02]

Approximately 40 minutes into the protests, a young woman the investigation determined to be § 87(2)(b) based off § 87(2)(b), § 87(2)(a) 160.50 stood on the sidewalk chanting, before an unidentified officer instructed officers to take her to the ground. Five officers, including Lieutenant Egan and PO Buonomo, grabbed § 87(2)(b)'s arms without issuing her any commands. PO Buonomo used his leg to trip her and took her to the ground. As a result, § 87(2)(b) fell on her chest. Protestors asked officers to let her go because she did not do anything, however PO Buonomo handcuffed § 87(2)(b) and placed her inside a police van. The interaction lasted five minutes. [BR07]

§ 87(2)(b) did not have any familiarity with § 87(2)(b). The investigation attempted to locate § 87(2)(b) but various database searched failed to yield any contact information [BR08] As a result, the investigation was unable to locate § 87(2)(b) or obtain a statement from her.

During a follow up conversation with § 87(2)(b) on June 14, 2021, he added that at an unknown time during the protest, Captain Delgado was running and pushed an unidentified female, F2, with two hands as she chanted, "Black Lives Matter". As a result, F2 fell to the ground.

§ 87(2)(b) also stated that at an unknown time during the protest, an unidentified officer, PO4, holding a riot shield with one arm, pushed § 87(2)(b) on the side of his body, causing him to move back four steps. § 87(2)(b) stated that PO4 then pushed an unidentified female, F3, with his baton as she was walking, causing her to fall to the ground. After F3 fell to the ground, approximately 15 officers were laughing. F3 then got up from the ground before having what § 87(2)(b) believed to be a seizure. § 87(2)(b) tried to help the F3 and call the ambulance but Captain Delgado and officers from the Strategic Response Group pushed him out of the way.

§ 87(2)(b) was unable to provide physical descriptions of any of the unidentified officers or any of the alleged victims. [BR09]

On December 1, 2021, Sgt. Buonomo testified that on April 17, 2021, at approximately 9:48 p.m., PO Buonomo and SRG officers were called to respond to a protest taking place near the intersection of Flatbush Avenue and Tillary Avenue by the Executive Officer of Patrol Borough Brooklyn North. He did not know who specifically called for SRG's assistance but SRG was called to respond to the protest to assist with crowd control as the protestors were blocking vehicular traffic.

PO Buonomo, Captain Delgado, and another officer whom he did not recall, responded to the location and observed approximately 100-200 protestors walking in the street. Most protestors were walking in the street while perhaps 20-30 protestors were on the sidewalk. The protestors were chanting anti-police slogans such as "quit your job" and "fuck the police". PO Buonomo estimated that there were approximately 10-15 officers on scene when he first responded. These officers were TARU officers and other SRG officers. He did not see Patrol officers on scene.

The officers utilized the LRAD which told the protestors to disperse and to get onto the sidewalk or else they would be arrested. Many protestors did not listen. Several protestors used their flashlights to strobe and flash them into the officers' faces, making it difficult for PO Buonomo to see.

While on scene, PO Buonomo observed a female civilian, identified as § 87(2)(b) run and pick up what he described as a white and orange construction barrier. § 87(2)(b) then ran towards the officers with the barrier and threw the barrier in front of the officers. The barrier hit PO Buonomo and several other officers. § 87(2)(b) did not make any statements when she threw the barrier. There were a group of demonstrators a few feet away from § 87(2)(b) when she threw the barrier at the officers.

After § 87(2)(b) threw the barrier, PO Buonomo grabbed § 87(2)(b) by her arm, pulled her towards him, and guided her down to the ground and told her she was under arrest. § 87(2)(b) went down to the ground slowly. He did not intend to bring her to the ground, but she leaned forward and was going to the ground, so he helped guide her down. He did not issue § 87(2)(b) any commands to get on the ground but told her to put her hands behind her back. § 87(2)(b) initially tried to pull away but quickly relented and did not offer any further resistance. PO Buonomo described § 87(2)(b) as approximately 5'10" tall and 120 pounds. He denied tripping her to bring her to the ground.

After she was handcuffed, PO Buonomo and nearby officers, whom he did not know, helped to lift her up to her feet. While the officers were arresting § 87(2)(b) protestors surrounded the officers and shined their flashlights into the officers' faces. He estimated that less than 50 people surrounded him and the officers arresting § 87(2)(b). The protestors were yelling at the officers; however he did not recall what the protestors were saying. At this point there were approximately 3-5 officers who kept the crowd back. These officers, and additional SRG officers helped to guide the protestors towards the Brooklyn Bridge. While she was being arrested, § 87(2)(b) asked why she was being arrested and PO Buonomo told her that she was arrested for throwing a barrier in front of the officers.

He estimated that he was on scene for only a few minutes before arresting § 87(2)(b). After her arrest, a prisoner van arrived on scene and PO Buonomo placed § 87(2)(b) inside. There was no one else placed inside the prisoner van. PO Buonomo stated that after he arrested § 87(2)(b) he transported her from the scene to the 79th Precinct stationhouse.

PO Buonomo was provided with a screenshot taken from his BWC at 4:11 of the recording. He identified Lieutenant Egan as being the officer captured in the center of photograph. PO Buonomo was played a portion of his BWC from 00:00- 00:36, he stated that Lieutenant Egan assisted in arresting § 87(2)(b) by grabbing § 87(2)(b)'s arm and placing it behind her back so PO Buonomo could handcuff her. He also assisted in the arrest of § 87(2)(b) by preventing civilians from getting too close.

PO Buonomo did not know whether anyone else from this protest was arrested. He did not see any other officer use force against any protestors, though he acknowledged hearing officers tell people to get back. PO Buonomo did not see officers pull a male out of a vehicle and he did not see any officer use their batons against protestors. [BR10]

PO Buonomo's body-worn camera begins with § 87(2)(b) on the ground on the left side of her body. PO Buonomo and Lieutenant Egan turns § 87(2)(b) over. Lieutenant Egan is holding § 87(2)(b)'s right arm and PO Buonomo has handcuffs on his right hand and places her left arm behind her back. At 00:12, Lieutenant Egan brings § 87(2)(b)'s right arm behind her closer to her left arm and PO Buonomo places both her wrist in handcuffs. It appears § 87(2)(b) is lifted and stands on her feet. At 01:10, § 87(2)(b) asks, "what did I do?" and PO Buonomo responds, you

threw a barrier in front of us, what do you mean what did you do?" At 10:17, § 87(2)(b) enters a police van. [BR02]

On January 11, 2022, Lieutenant Egan testified that at approximately 10:00 p.m. on April 17, 2021, he received a call regarding a large group of disorderly individuals that were on the street in the vicinity of the 84th Precinct stationhouse. Lieutenant Egan did not recall receiving any more information regarding what was occurring. Lieutenant Egan was working on a detail with approximately 50 other officers, including Captain Delgado. The officers moved wherever the protestors were. Lieutenant Egan responded to the front of the 84th Precinct stationhouse, with the police detail, where the group of disorderly individuals were located. Lieutenant Egan did not recall how much time had passed since the time he received the call to the time he arrived at the location. Lieutenant Egan did not believe there were other officers already at the location when he arrived. Lieutenant Egan did not recall how many individuals were present or what the group was doing when he arrived on scene.

Lieutenant Egan and Captain Delgado were walking on the street towards the 84th Precinct stationhouse when a group of individuals, including § 87(2)(b) pushed a street blockade barricade in front of him and Captain Delgado. The barricade was made of plastic and was approximately five feet long and three feet high. These barricades would typically be used for traffic to close a lane, and would be filled with sand or water, however this barricade was empty. § 87(2)(b) was approximately three feet away from Lieutenant Egan when she pushed the barricade in front of him. Lieutenant Egan did not recall what § 87(2)(b) was saying as she pushed the barricade. Lieutenant Egan believed § 87(2)(b) pushed the barricade to impede them from entering the stationhouse. Lieutenant Egan did not recall what the group of individuals' responses was after § 87(2)(b) pushed the barricade.

Lieutenant Egan was grabbed § 87(2)(b) by her arms and handcuffed her along with PO Buonomo. § 87(2)(b) wiggled around, moved her body, and attempted to break free while Lieutenant Egan was holding her arms. Lieutenant Egan did not recall if he or PO Buonomo handcuffed § 87(2)(b). Lieutenant Egan did not recall what actions PO Buonomo took handcuff § 87(2)(b). § 87(2)(b) remained standing as she was handcuffed and was then placed in a prisoner van. Lieutenant Egan did not transport § 87(2)(b) and did not recall what § 87(2)(b) was charged with, though he believed she could have been charged with obstructing governmental administration and disorderly conduct.

Lieutenant Egan did not recall taking any further police action at the scene. He believed that § 87(2)(b) was the only person arrested at the location and was unaware of any summonses having been issued. Lieutenant Egan did not witness any officers use force against any civilians at the location. He was unaware of any threats of arrest made towards any civilian. Lieutenant Egan got in his vehicle, left the scene, and waited to be called to another location. Lieutenant Egan did not recall how long he was at the location or how long remained at the location after § 87(2)(b) was removed from the scene.

Lieutenant Egan was presented with PO Buonomo's BWC footage. The footage was played from 00:00-00:37 timestamp depicting § 87(2)(b) on the ground. Lieutenant Egan did not recall how § 87(2)(b) got on the floor and he did not recall tripping § 87(2)(b) while placing her in handcuffs, nor did he recall PO Buonomo or any other officer doing so. [BR11]

The investigation was unable to interview Captain Delgado due to his retirement from the NYPD. According to the Employment Verification Unit, Captain Delgado retired on August 4, 2021. [BR12]

The investigation obtained 12 additional body-worn camera videos for this incident, however none depict any of the other incidents § 87(2)(b) s alleged. [BR01]

A YouTube video uploaded by § 87(2)(b) captures footage of a protest occurring in the evening of April 17, 2021, at the 84th Precinct station house. In the description it states, no arrest or violence was witnessed. None of the incidents § 87(2)(b) s alleged are captured [BR03]

A BADS search for arrest on April 17, 2021, yielded negative results matching incident details. [BR13]

A summons log request for April 17, 2021, yielded negative results for any summonses matching incident details. [BR14]

Although PO Buonomo acknowledged bringing § 87(2)(b) to the ground, he denied tripping her and instead stated he helped guide her down to the ground as she was in the process of falling as he grabbed her. Additionally, Lieutenant Egan did not recall how § 87(2)(b) ended up on the ground and denied seeing any officer trip her. While PO Buonomo's body-worn camera captures a portion of § 87(2)(b) s arrest, it begins as she is already on the ground. § 87(2)(b), § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (E) Force: On May 1, 2021, on Tillary Street in Brooklyn, officers used physical force against § 87(2)(b)

Allegation (F) Force: On May 1, 2021, while on the Brooklyn Bridge in Brooklyn, officers used physical force against individuals.

On May 4, 2021, § 87(2)(b) testified that on May 1, 2021, at approximately 10:00 a.m., he and 50 unidentified individuals participated in another Black Lives Matter protest at the 84th Precinct stationhouse. § 87(2)(b) described the 84th Precinct as having six feet tall barricades around the stationhouse which the protestors encountered as they headed towards Tillary Street. Protestors were standing at the 84th Precinct station house for 40 minutes chanting, "Black Lives Matter," when an unidentified officer, PO1, told protestors to leave. Protestors went across the street toward Tillary Street. On Tillary Street, an unidentified man, M1, sat inside his parked vehicle with a "Black Lives Matter" flag on his window. Five unidentified officers, PO2-PO6, dressed in riot gear, wearing helmets and NYPD uniforms knocked on his window. Without saying anything, PO2- PO6, the officers removed M1 from inside the vehicle by pulling him out by his arms and placing face first on the ground and handcuffing him. § 87(2)(b) later said that when M1 asked the officers why he was under arrest, they responded, "for having a Black Lives Matter flag in your window." § 87(2)(b) described M1 as African American male who stood

6'0" tall with no hair, a chubby build, and wearing a red short-sleeve shirt with "black lives matter" written in black letters and blue jeans, with no glasses or facial hair.

Afterward, approximately 70 officers in riot gear held their batons in an L shape with both their arms and led protestors back while saying, "Move back." Protestors moved backward and made their way to Foley Square towards the Brooklyn Bridge. Officers followed protestors onto the Brooklyn Bridge. While on the Brooklyn bridge, two unidentified women were standing on the bridge and asked officers why they had to get off the bridge and officers said because it was getting late before pushing them back against other protestors. [BR07]

The investigation determined the incident occurred at approximately 10:00 p.m., based on body-camera and video footage depicting the protest. [BR04] Additionally, the 84th Precinct stationhouse footage for incident time 10:00 a.m., did not depict any relevant information. [BR05]

The 33 body-worn-camera footages obtained for this incident begins with officers standing behind a barricade on Gold Street while protestors stand on the Tillary Street. None of the 33 videos capture any kind of interaction as § 87(2)(b) alleged. [BR04]

TARU Footage depicting the Manhattan Bridge - 45 Flatbush Avenue Extension, depicts a group of protestors walking across the bridge at approximately 10:00 p.m. The footage does capture what § 87(2)(b) alleged [BR06].

A BADS search for arrest on May 1, 2021, yielded negative results matching incident details. [BR15]

A summons log request for May 1, 2021, yielded negative results for incidents matching details. [BR16]

Although, the investigation obtained various video footage from this incident, none of the footage depicted the specific interactions § 87(2)(b) alleged. There was no documentation of any of the interactions § 87(2)(b) alleged, and he was unable to provide any contact information for any civilians involved. § 87(2)(g)

Civilian and Officer CCRB Histories

- § 87(2)(b), § 87(2)(g)
- PO Buonomo has been a member of service for eight years and has been a subject in five CCRB complaints and 12 allegations, none of which were substantiated. § 87(2)(g) [BR18]
- Lt. Egan has been a member of service for 19 years and has been a subject in 13 CCRB complaints and 17 allegations, none of which were substantiated. § 87(2)(g) [BR19]
- Captain Delgado has been a member of service for 22 years and has been named a subject in 21 CCRB complaints, one of which was substantiated.

- 201904455 involved a substantiated allegation of a property seizure. The Board recommended command discipline. § 87(2)(g) [BR20]

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of October 25, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint [BR20]
- § 87(2)(b)

Squad: 8

Investigator:	Leslie Martinez	Investigator Martinez	4/8/2022
	Signature	Print Title & Name	Date

Squad Leader:	Ethan De Angelo	IM Ethan De Angelo	4/13/2022
	Signature	Print Title & Name	Date

Reviewer:			
	Signature	Print Title & Name	Date